



# UNITED STATES PATENT AND TRADEMARK OFFICE

fw

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,360	03/06/2001	Martin Boliek	74451.P127D4	4279

7590 04/07/2006

Michael J. Mallie  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

CHEN, WENPENG

ART UNIT PAPER NUMBER

2624

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
--------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT

PAPER

20060404

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

1. This communication is to inform applicant that the amendment/ request filed 8/22/02 was not a proper request to delete inventor Kok Gi Wu. The examiner apologizes for this late notice. This defect only recently came to the examiner's attention.
2. Although the Applicants did not request, in the petition filed on 8/22/2002, to correct the inventorship under 37 CFR 1.48(a), the petition falls under rule 37 CFR 1.48(a) because the correction was not due to amendments or cancellation of claims. The request to correct the inventorship of this nonprovisional application under 37 CFR 1.48(a) is thus deficient because:
  - The statement of facts by an inventor or inventors to be added or deleted does not explicitly state that the inventorship error occurred without deceptive intent on his or her part or cannot be construed to so state.
  - An oath or declaration by each actual inventor or inventors listing the entire inventive entity has not been submitted.
  - It lacks the required fee under 37 CFR 1.17(i).
3. A review of the file finds that the request filed 8/22/02 was signed by the attorney of record; but failed to include any signed statement by the inventor being deleted (e.g. Kok Gi Wu). Furthermore, it failed to include a new declaration and the necessary fee, as set forth above. Accordingly, the request filed 8/22/02 to delete inventor Kok Gi Wu is denied.

Wenpeng Chen  
Primary Examiner  
Art Unit: 2624